

SENATE BILL 147

C2

(11r0083)

ENROLLED BILL

— Finance/Economic Matters —

Introduced by **Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **State Commission of Real Estate Appraisers and Home Inspectors – Home**
3 **Inspectors – Continuing Professional Competency**

4 FOR the purpose of requiring the State Commission of Real Estate Appraisers and
5 Home Inspectors to adopt regulations to require a demonstration of continuing
6 professional competency of a certain number of educational hours as a condition
7 of renewal of a license to provide home inspection services; providing for the
8 implementation of the continuing professional competency requirement on a
9 phased-in basis; providing that certain educational hours from courses offered
10 by certain entities satisfy the continuing professional competency requirement
11 under certain circumstances; and generally relating to the State Commission of
12 Real Estate Appraisers and Home Inspectors.

13 BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Article – Business Occupations and Professions
2 Section 16–3A–07
3 Annotated Code of Maryland
4 (2010 Replacement Volume)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article – Business Occupations and Professions**

8 16–3A–07.

9 (a) Unless a license is renewed for a 2–year term as provided in this section,
10 the license expires on a staggered basis as determined by the Secretary.

11 (b) At least 1 month before a license expires, the Commission shall mail to
12 the licensee, at the last known address of the licensee:

13 (1) a renewal application form; and

14 (2) a notice that states:

15 (i) the date on which the current license expires; and

16 (ii) the amount of the renewal fee.

17 (c) Before a license expires, the licensee may renew it for an additional
18 2–year term, if the licensee:

19 (1) otherwise is entitled to be licensed;

20 (2) pays to the Commission a renewal fee not to exceed \$400;

21 (3) submits a renewal application on the form that the Commission
22 provides; and

23 (4) submits proof of compliance with the insurance requirement of §
24 16–4A–04 of this title.

25 (d) The Commission shall renew the license of and issue a license to each
26 licensee who meets the requirements of this section.

27 **(E) (1) THE COMMISSION SHALL ADOPT REGULATIONS TO REQUIRE A**
28 **DEMONSTRATION OF CONTINUING PROFESSIONAL COMPETENCY OF UP TO 30**
29 **EDUCATIONAL HOURS FOR A LICENSEE AS A CONDITION OF RENEWAL OF A**

1 LICENSE UNDER THIS SECTION IN ACCORDANCE WITH PARAGRAPHS (2)
2 THROUGH ~~(5)~~ (6) OF THIS SUBSECTION.

3 (2) CONTINUING PROFESSIONAL COMPETENCY REQUIREMENTS
4 DO NOT APPLY TO THE FIRST RENEWAL OF A LICENSE.

5 (3) IF A LICENSE EXPIRES ON OR BEFORE SEPTEMBER 30, 2013, A
6 LICENSEE IS NOT REQUIRED TO FULFILL THE CONTINUING PROFESSIONAL
7 COMPETENCY REQUIREMENTS.

8 (4) IF A LICENSE EXPIRES BETWEEN OCTOBER 1, 2013, AND
9 SEPTEMBER 30, 2014, A LICENSEE IS REQUIRED TO FULFILL 50% OF THE
10 CONTINUING PROFESSIONAL COMPETENCY REQUIREMENTS AS PROVIDED IN
11 THE REGULATIONS ADOPTED BY THE COMMISSION UNDER THIS SUBSECTION.

12 (5) IF A LICENSE EXPIRES ON OR AFTER OCTOBER 1, 2014, A
13 LICENSEE IS REQUIRED TO FULFILL THE FULL CONTINUING PROFESSIONAL
14 COMPETENCY REQUIREMENTS AS PROVIDED IN THE REGULATIONS ADOPTED BY
15 THE COMMISSION UNDER THIS SUBSECTION.

16 (6) EDUCATIONAL HOURS FROM A CONTINUING PROFESSIONAL
17 COMPETENCY COURSE SATISFY THE REQUIREMENT OF PARAGRAPH (1) OF THIS
18 SUBSECTION IF:

19 (I) THE COURSE IS OFFERED BY:

20 1. THE AMERICAN SOCIETY OF HOME INSPECTORS;

21 ~~OR~~

22 2. THE NATIONAL ASSOCIATION OF HOME
23 INSPECTORS; AND OR

24 3. ANY OTHER PROVIDER APPROVED BY THE
25 COMMISSION; AND

26 (II) THE COMMISSION DETERMINES THAT THE COURSE
27 INCREASES THE LICENSEE'S KNOWLEDGE OF THE PROVISION OF HOME
28 INSPECTION SERVICES, INCLUDING ONE OR MORE COMPONENTS OF AN
29 EXISTING RESIDENTIAL BUILDING.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 July 1, 2011.